

**APPENDIX TO MOTION FOR SUMMARY JUDGMENT BY ALL ERISA DEFENDANTS ON THE CLASS PRUDENCE CLAIMS (COUNTS I, II & IV)**

<b><u>NO.</u></b>	<b><u>EXHIBIT</u></b>
<b>1</b>	<b>Statement of Material Facts in Support of Motion for Summary Judgment by All ERISA Defendants on the Class Prudence Claims (Counts I, II &amp; IV)</b>
<b>2</b>	<b>Declaration of Robert Rachal</b>
2A	January 1, 2002 Sixth Amended and Restated EDS 401(k) Plan, Bates stamped EDS-E0002110-E0002191 (Pages Cited: EDS-E0002132, 2164, 2163, 2164, 2168, 2169, 2173, 2178)
2B	2002 EDS 401(k) Summary Plan Description (“SPD”), entitled “EDS U.S. Benefits Handbook,” and Plan Prospectus, Bates stamped EDS-E0000931-E0001108 (Pages Cited: EDS-E0001056)
2C	October 1998 Vanguard “Information About the EDS Matching Contribution,” Bates stamped EDS-E0005737-E0005738
2D	EDS May 2002 Your New and Improved EDS 401(k) Plan, Bates stamped EDS-E0000800–E0000819
2E	EDS May 2002 Investment Basics, Bates stamped EDS-E0006298–E0006305
2F	Vanguard Stock Fund Fact Sheet, Bates stamped EDS-E0005617-E0005618
2G	May 2002 EDS Stock Fund Fact Sheet, Bates stamped EDS-E0006314
2H	Vanguard Fund Fact Sheets, Bates stamped EDS-E0005617-E0005618, EDS-E0005651-E0005652, EDS-E0005657-E0005660, EDS-E0005686-E0005687, EDS-E0005766-E0005767, EDS-E0005780-E0005781
<b>3</b>	<b>Declaration of Dennis Simmons</b>
3A	Vanguard Trust Agreement, Bates stamped EDS-E0005238-E0005247
3B	Vanguard Investment Management Agreement, Bates stamped EDS-E0039684-E0039687

<b><u>NO.</u></b>	<b><u>EXHIBIT</u></b>
<b>4</b>	<b>Declaration of Scott Roy</b>
4A	State Street Trust Agreement, Bates stamped EDS-E0002345-E0002388
4B	State Street Investment Management Agreement, Bates stamped EDS-E0003071-E0003084
4C	Fiduciary Committee Charter, Bates stamped EDSSS-0000025-EDSSS0000032
4D	Watchlist Committee Meeting 8/22/02, Bates stamped EDSSS-0000106
4E	Watchlist Committee Meeting 9/20/02, Bates stamped EDSSS-0000109
4F	Client communication with Watchlist Client 9/27/02, Bates stamped EDSSS-0000111
4G	Company Stock Management Watchlist committee Meeting 9/25/03, Bates stamped EDSSS-0000123-EDSSS0000124
4H	Fiduciary Committee Update 10/10/02, Bates stamped EDSSS-0000112
4I	Company Stock Management Watchlist Committee Meeting 10/22/03, Bates stamped EDSSS-0000125
4J	Retirement Investment Services Watchlist Committee Meeting 10/24/02, Bates stamped EDSSS-0000113-117
4K	Company Stock Management Watchlist Committee Meeting 11/21/02, Bates stamped EDSSS-0000118
4L	Watchlist Committee Meeting 11/21/02, Bates stamped EDSSS-0000120-EDSSS0000122
4M	Company Stock Management Watchlist Committee Meeting 7/23/04, Bates stamped EDSSS-0000143
4N	Letter from Scott Roy to Jeff Rock (8/10/04) notifying EDS that stock in on Watchlist, Bates stamped EDSSS-0000137

<b><u>NO.</u></b>	<b><u>EXHIBIT</u></b>
4O	Letter from Scott Roy to Jeff Rock memorializing conversation on 9/10/04 between State Street and EDS, Bates stamped EDSSS-0000138
4P	Letter from David Nixon to Susan Daniels (9/20/04), Bates stamped EDS-E0303171-E0303172
4Q	E-mail from Scott Roy to Susan Daniels re Weekly Deviation 6/18/02, Bates stamped EDSSS-0000178
4R	E-mail from Scott Roy to Susan Daniels re Weekly Deviation 7/5/02, Bates stamped EDSSS-0000179-EDSSS0000185
4S	July 1, 2004 Citistreet report – EDS Review, Bates stamped EDSSS-0000131-EDSSS0000134
<b>5</b>	<b>Declaration of Arthur Zhongetti</b>
5A	State Street Trust Agreement, Bates stamped EDS-E0002345-E0002388
5B	State Street Investment Management Agreement, Bates stamped EDS-E0003071-E0003084
5C	E-mail and presentation “Company Stock Services,” Bates stamped EDS-E0005040-E0005051
5D	E-mail from A. Zhongetti to David Nixon (2/1/02), Bates stamped EDS-E0005141
5E	E-mail from A. Zhongetti to David Nixon (2/5/02), Bates stamped EDS-E0005142
<b>6</b>	<b>Report and Declaration of Bruce D. Ruud</b>
6A	Exhibit A: Curriculum Vitae of Bruce D. Ruud
6B	Exhibit B: EDS Documents Reviewed by Bruce D. Ruud
<b>7</b>	<b>Report and Declaration of Daniel R. Fischel</b>
7A	Exhibit A: Curriculum Vitae of Daniel Fischel
7B	Exhibit B: List of Materials Reviewed by Daniel Fischel

<b><u>NO.</u></b>	<b><u>EXHIBIT</u></b>
7C	Exhibit C: S&P and Moody's Ratings on EDS Debt: 1999-2002
7D	Exhibit D: EDS Stock Holdings by Institutional Investors: Q1:1999-Q1:2004
7E	Exhibit E: EDS IBES Analysts' Consensus Forecasts of Earnings Per Share
7F	Exhibit F: June 6, 2001 Analyst Report of Lehman Brothers
7G	Exhibit G: September 4, 2001 Analyst Report of Thomas Weisel Partners, L.L.C.
7H	Exhibit H: September 17, 2001 Analyst Report of Bernstein
7I	Exhibit I: August 1, 2001 Analyst Report of Morgan Stanley Dean Witter
7J	Exhibit J: February 13, 2002 Analyst Report of Bear Sterns
7K	Exhibit K: Voluntary Contributions to the EDS Stock Fund by Members of the Proposed Class: September 7, 1999 – October 9, 2002
<b>8</b>	<b>Report and Declaration of John W. Peavy III</b>
8A	Exhibit 1: Curriculum Vitae of John W. Peavy III
8B	Exhibit 2: Expert Testimony for Last Four Years of John W. Peavy III
8C	Exhibit 3: Materials Considered by John W. Peavy III
8D	Exhibit 4: Sample of Savings Plans with Company Stock Holdings Greater than 20% of Plan Assets as of December 12, 2002
8E	Exhibit 5: Description of Financial Dimensions and Ratio Definitions
8F	Exhibit 6: EDS Corp. Closing Stock Price and Industry Index: September 3, 1999 – December 31, 2004
8G	Exhibit 7: Ratio Analysis – EDS and Comparable Companies
8H	Exhibit 8: Selection of Companies Comparable to EDS as of September 7, 1999
8I	Exhibit 9: Analyst Rating Systems
8J	Exhibit 10: EDS Corp. IBES Median EPS Estimates for Next Fiscal Year: September 1999 – October 2002
8K	Exhibit 11: Moody's Corporate Long-Term Ratings

<b><u>NO.</u></b>	<b><u>EXHIBIT</u></b>
8L	Exhibit 12: EDS Debt Ratings
8M	Exhibit 13: EDS Stock Holdings by Institutional Investors
8N	Exhibit 14: EDS Stock Holdings by Institutions Verified as Pension Funds
8O	Exhibit 15: Standard Deviation of Weekly Returns Estimated During 9/6/99 through 10/11/02
<b>9</b>	<b>Affidavit of David J. Ross</b>
9A	Exhibit A: Curriculum Vitae of David J. Ross
9B	Exhibit B: Documents and Data Relied On for David J. Ross
9C	Exhibit C: EDS Stock Price and EDS Stock Fund Unit Price: September 7, 1999 – May 11, 2004
9D	Exhibit D: Smith's Gain/Loss from the Alleged Disclosure Defects
9E	Exhibit E: Mizell's Gain/Loss from the Alleged Disclosure Defects
9F	Exhibit F: The Optimal Breach Date – Disclosure Varies Across Members of the Proposed Class
9G	Exhibit G: Calculation of Plaintiff Smith's Gain/Loss from His Investment in the EDS Stock Fund: September 7, 1999 – February 26, 2004
9H	Exhibit H: Voluntary Contributions to the EDS Stock Fund by Members of the Proposed Class: September 7, 1999 – February 26, 2004
9I	Exhibit I: Divestible Holdings of Members of the Proposed Class: September 7, 1999 – February 26, 2004
9J	Exhibit J: Mizell's Out-of-Pocket Gain/Loss: September 7, 1999 – February 26, 2004
9K	Exhibit K: The Optimal Breach Date – Prudence Varies Across Members of the Proposed Class
<b>10</b>	<b>Transcript of April 24, 2003 Status Conference, p. 18, l. 20 to p. 20, l. 11, Def Class Sur-Reply (ERISA Docket No. 94), Exh. C.</b>